

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MARK BROOKS,

Plaintiff,

CASE NO. 3:09-CV-375

-VS-

**District Judge Timothy S. Black
Magistrate Judge Michael R. Merz**

NATIONAL CITY MORTGAGE, *et al.*,

Defendant.

JUDGMENT IN A CIVIL CASE

☐ **Jury Verdict:** This action came before the Court for a trial by jury. The issues have been tried and the Jury has rendered its verdict.

☒ **Decision by Court:** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered,

IT IS ORDERED AND ADJUDGED: that the Report and Recommendations of the Magistrate Judge (Doc. 44) is **ADOPTED**; that the Defendants' Motion to Dismiss (Doc. 38) is **GRANTED**; and the case is **TERMINATED**.

Date: September 20, 2011

JAMES BONINI, CLERK

By: s/ M. Rogers
Deputy Clerk